

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claim 4, 6, and 8 are herein cancelled without prejudice or disclaimer of the subject matter contained therein.

Claims 1, 2, 3, 5, 7 and 9 are herein amended. No new matter is added.

Claims 1, 2, 3, 5, 7, and 9 are pending and stand rejected.

II. Amendments to the Specification

The paragraph on page 17 referred to by the Examiner, has been amended in accordance with the Examiner's suggestion. No new matter has been added.

III. Drawings

The Examiner's acceptance of the Drawings, with one objection regarding the need to show the "first and second lines along the longitudinal direction," is noted. Applicants have amended claim 5 to remove the non-illustrated elements. No new matter has been added. Applicants respectfully request that the objection be withdrawn.

IV. Claim for Foreign Priority

The Examiner's acknowledgement of all claims to foreign priority is noted with thanks.

V. Claim Objections

The Examiner's objections to claims 2, 4, 5, 7, and 9 are noted, and amendments obviating these objections have been made. No new matter has been added.

VI. Claim Rejection Under 35 U.S.C. §112, Second Paragraph

The rejection under 35 U.S.C. §112, Second Paragraph, of claims 1-9, as being indefinite, is traversed.

Claims 4, 6, and 8 have been cancelled, rendering the rejection to those claims moot. Further, without conceding the correctness of the Examiner's position or the need for amendment, claims 1, 2, 3, 5, 7 and 9 have been amended to more particularly claim the subject matter involved.

Regarding claim 1, the redundancy noted by the Examiner has been removed. Further, Applicants note that the claim has been amended to clearly claim the bearing seat. As is typical in claims, the elements above the term "comprising" are part of the preamble and form the background structure to the claimed elements.

Regarding claim 2, the redundancy noted by the Examiner has been removed. Further, Applicants note that the claim has been amended to clearly claim a different longitudinal direction.

Claim 3 has been amended to remove the terms noted as ambiguous by the Examiner.

Regarding claim 5, the redundancy noted by the Examiner has been removed. Further, Applicants note that the claim has been amended to clearly claim the bearing seat. As is typical in claims, the elements above the term "comprising" are part of the preamble and form the background

structure to the claimed elements. Further, the ball portion has been clearly noted in the preamble, in order to provide antecedent basis for the claimed terms.

Regarding claim 9, the elements noted by the Examiner now have antecedent basis in claim 5; specifically, through amendments to claim 5 or to claim 9.

Applicants submit that all claims are definite and respectfully request that the rejection be withdrawn.

VII. Acknowledgment of Allowable Subject Matter

Applicants thank the Examiner for the acknowledgment of allowable subject matter in claim 8. Claim 8 has been canceled and its elements amended into claim 5. Applicants submit that claim 5 is now in condition for allowance. The elements of claim 6, similar to that of claim 8, have been amended into claim 1. Applicants submit that claim 1 is now also in condition for allowance.

VIII. Claim Rejection under 35 U.S.C. §102

Claims 1-5, 7, and 9 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,247,873 to Owens *et al.* (“Owens”). Applicants respectfully traverse. Claims 4 and 6 have been cancelled, rendering the rejection to those claims moot.

Applicants note that the figures provided by the Examiner, at page 15 of the current Final Office Action, were annotated as “Jaworski et al., 5,795,092”. This seems to be an error, and Applicants discuss Owens below, as cited by the Examiner in the main body of the Office Action.

The elements of claim 6 have been amended into claim 1 and the elements of claim 8 have been amended into claim 5. The Examiner has noted that Owens does not anticipate claims 6 and 8.

The Examiner notes, and is agreed with by the Applicants, that Owens merely describes a ball and socket arrangement with a plurality of lubrication channels. This is in contrast to the first and second dimples that are “opened in approximately circular forms,” as now claimed in claims 1 and 5 of the instant invention. Also, as noted by the Examiner, Owens does not provide the “motivation to change the elongated concave portions to circular forms since the lubricant would not be able to travel to the fluid end 360 as suggested in column 3, lines 59-61, using circular forms.” *See*, Office Action dated May 28, 2008, page 11. Given this clear teaching away, Owens does not itself inherently teach the above element, nor can it be combined with any reference suggesting circular forms, since one of ordinary skill in the art is motivated against the change.

In passing, Applicants note that Jaworski also does not read on the present claims since, in both claims 1 and 5, the first dimples are approximately uniform in size along a longitudinal direction, the second dimples are approximately uniform in size along a longitudinal direction, and the second dimples are larger than the first dimples.

Thus, claims 2, 3, 7 and 9 depend from claims 1 or 5 and are allowable at least based on the arguments above. Applicants respectfully request that the rejection be withdrawn.

X. Claim Rejection Under 35 U.S.C. §103

Claims 1 and 6 are rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,505,989 to Pazdirek *et al.* (“Pazdirek”) in view of United Kingdom Patent No. GB 847 171 to Clevite (“Clevite”) and further in view of United Kingdom Patent No. GB 2,229,765 to Otsuka (“Otsuka”). Applicants respectfully traverse.

Claim 6 has been cancelled, rendering the rejection moot. Without conceding the correctness of the Examiner’s position or the need for amendment, claim 1 has been amended to add the limitations of now-cancelled claim 4, placing claim 1 into condition for allowance. Applicants respectfully request that the rejection be withdrawn.

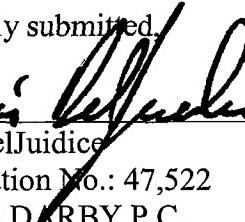
CONCLUSION

In view of the foregoing, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Amendment or an Examiner's Amendment.

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Respectfully submitted,

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